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February 19, 1997 LB 404

SPEAKER WITHEM: Further discussion on advancement of LB 404?
Chair recognizes Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Mr. Speaker. When I pressed my light there, just a moment ago, I thought that I would be far down the list on this bill. But maybe since I was immediately recognized, that's an indication of something about this.

SPEAKER WITHEM: That's a clue, I think.

SENATOR WICKERSHAM: That's a clue, I think. Members of the body, you've heard a little bit this morning about the creation the Judicial Resources Commission and what it was supposed to do for us, and in terms of assisting us to make difficult decisions about the allocation of judicial resources across the state of Nebraska. I'm enough of a realist to believe that 404 will pass this morning. I'm not going to vote for it, but that isn't necessarily a criticism of the Judicial Resources Commission, nor is it necessarily a criticism of the decisions that each one of you will make individually on this bill. For the most part, I think the Judicial Resources Commission has done its work and that its decisions are appropriate for us to adopt in the main. I will vote against the bill because I think they did make an inappropriate decision, at least with regard to the 12th Judicial District. And I believe that they made an inappropriate decision or recommendation, not out of malice, nor did they make that decision out of an effort to "trade", or take, or otherwise meet objectives other than what they consider to be an appropriate allocation of judicial resources across the state of Nebraska. In short, I don't think they made a political recommendation to us. I think they made an inaccurate recommendation to us, and I'll describe a little bit of why I think their recommendation is inaccurate. I can't prove their recommendation was inaccurate, because that would take additional work by the commission. I hope they undertake the additional work, and I hope that in a year or two I'm back here, with the support of the Judiciary Committee and the commission, asking you to put another judge back in the 12th Judicial District because it's needed there. But that's probably in the future. The Judicial Resources Commission has acted, as a basis for their recommendations to the Legislature, upon a weighted caseload study that they completed in the year 1995. There will